

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TENNESSEE
WESTERN DIVISION**

BERRY SANDERS,)	
)	
Plaintiff,)	
)	
v.)	No. 09-2281-STA-cgc
)	
WILLIAMS EQUIPMENT & SUPPLY)	
COMPANY, INC.,)	
)	
Defendant.)	

ORDER ADOPTING MAGISTRATE JUDGE’S REPORT AND RECOMMENDATION

Before the Court are Defendant’s Motion to Dismiss (D.E. # 7), filed on September 1, 2009, and Plaintiff’s Second Motion to Amend (D.E. # 15) filed on September 30, 2009. The Magistrate Judge recommended that Plaintiff’s Motion to Amend be granted and Defendant’s Motion to Dismiss be denied without prejudice. Neither party has filed any objections to the Magistrate Judge’s Report and Recommendation within the time permitted. Having reviewed the Magistrate Judge’s report and recommendation de novo, and the entire record of the proceeding, the Court hereby **ADOPTS** the Magistrate Judge’s report and **GRANTS** Plaintiff’s Motion to Amend and **DENIES** without prejudice Defendant’s Motion to Dismiss.

IT IS SO ORDERED.

s/ S. Thomas Anderson
S. THOMAS ANDERSON
UNITED STATES DISTRICT JUDGE

Date: February 24th, 2010.